

MULTIPLE SPECIES CONSERVATION PROGRAM CONFORMANCE STATEMENT
For Secret Hills Ranch Grading
PDS2020-LDGRMJ-30253
APN(s) 520-060-18-00

February XX, 2021

I. Introduction

The applicant proposes to grade and construct a single-family residence with accessory structures and related improvements on a portion of an approximately 76.9-acre parcel. The project site is located in the community of Rancho Palo Verde in Alpine, within unincorporated San Diego County. The project is also located within the County’s Multiple Species Conservation Program (MSCP) within designated unincorporated land in the Metro-Lakeside-Jamul segment. The site qualifies as Biological Resource Core Area (BRCA) but is not located in proximity to any Pre-Approved Mitigation Areas.

Biological resources on the site were evaluated in a Biological Resource Letter Report (Vince Scheidt, November 2020). The site contains 72.4 acres of granitic southern mixed chaparral and 4.5 acres of disturbed habitat. Sensitive wildlife species identified on site are Orange-throated Whiptail (*Cnemidophorus hyperythrus beldingi*), San Diego Horned Lizard (*Phrynosoma blainvillii*), Southern Mule Deer (*Odocoileus hemionus fuliginatus*), and Turkey Vulture (*Cathartes aura*). One sensitive plant species, San Diego County Viguiera (*Bahiopsis [Viguiera] laciniata*), was identified onsite. The project will impact 18.8 acres of granitic southern mixed chaparral, 2.2 acres of disturbed habitat, one individual San Diego County Viguiera (*Bahiopsis [Viguiera] laciniata*), and four sensitive wildlife species observed onsite.

Impacts to biological resources will require mitigation. Impacts to disturbed habitat do not require mitigation. Mitigation for impacts to granitic southern mixed chaparral will include the onsite preservation of 34.5 acres of granitic southern mixed chaparral within an open space easement. Impacts to one individual San Diego County Viguiera (*Bahiopsis [Viguiera] laciniata*), will be mitigated through habitat-based mitigation. Impacts to sensitive wildlife will be mitigated through habitat-based mitigation and breeding season avoidance to ensure project consistency with the Migratory Bird Treaty Act (MBTA).

Table 1. Impacts to Habitat and Required Mitigation

Habitat Type	Tier Level	Existing On-site (ac.)	Proposed Impacts (ac.)	Mitigation Ratio	Required Mitigation
Granitic Southern Mixed					
Chaparral	III	72.4	18.8	1:1	18.8
Disturbed	IV	4.5	2.2	--	--
Total:	--	76.9	21.0	--	18.8

The findings contained within this document are based on County records, staff field site visits and the Biological Resource Letter Report (Vince Scheidt, November 2020). The information contained within these Findings is correct to the best of staff’s knowledge at

the time the findings were completed. Any subsequent environmental review completed due to changes in the proposed project or changes in circumstance shall need to have new findings completed based on the environmental conditions at that time.

The project has been found to conform to the County's Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement between the County of San Diego, the CA Department of Fish and Wildlife and the US Fish and Wildlife Service. Third Party Beneficiary Status and the associated take authorization for incidental impacts to sensitive species (pursuant to the County's Section 10 Permit under the Endangered Species Act) shall be conveyed only after the project has been approved by the County, these MSCP Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

II. Biological Resource Core Area Determination

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.

The proposed project site qualifies as a Biological Resource Core Area (BRCA) due to its location within an area of habitat that contains biological resources that support or contribute to the long-term survival of sensitive species, is shown as having high habitat value on the Habitat Evaluation Model, and the land consists of or is within a block of habitat greater than 500 acres in area of diverse and undisturbed habitat that contributes to the conservation of sensitive species.

B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.

Based on the Biological Resource Letter Report (Vince Scheidt, November 2020), the entirety of the project site has been determined to be a Biological Resource Core Area (BRCA). Therefore, the open space resulting from this project is also considered a Biological Resource Core Area (BRCA).

III. Biological Mitigation Ordinance Findings

A. Project Design Criteria (Section 86.505(a))

The following findings in support of Project Design Criteria, including Attachments G and H (if applicable), must be completed for all projects that propose impacts to Critical Populations of Sensitive Plant Species (Attachment C), Significant Populations of Narrow Endemic Animal Species (Attachment D), Narrow Endemic

Plant Species (Attachment E) or Sensitive Plants (San Diego County Rare Plant List) or proposes impacts within a Biological Resource Core Area.

1. Project development shall be sited in areas to minimize impact to habitat.

Project development will occur within 21 acres located in the northeastern portion of the project site. The development will be located within granitic southern mixed chaparral habitat, which has been previously disturbed for fire clearing purposes. The area is also located adjacent to existing development. The remaining area of the project site, located adjacent to undisturbed habitat to the south, will be preserved within an open space easement. Therefore, the project development has been sited in areas to minimize impacts to habitat.

2. Clustering to the maximum extent permitted by County regulations shall be considered where necessary as a means of achieving avoidance.

Clustering to the maximum extent permitted by County regulations was not necessary as a means of achieving avoidance. The project proposes development in the northeastern portion of the project site, located adjacent to existing development. The remaining area onsite will be preserved within an onsite open space easement.

3. Notwithstanding the requirements of the slope encroachment regulations contained within the Resource Protection Ordinance, effective October 10, 1991, projects shall be allowed to utilize design that may encroach into steep slopes to avoid impacts to habitat.

Encroachment into steep slopes could not be applied to further reduce impacts. The project proposes development in the northeastern portion of the project site, located adjacent to existing development. The remaining area onsite will be preserved within an onsite open space easement.

4. The County shall consider reduction in road standards to the maximum extent consistent with public safety considerations.

Minimum private road standards have been applied to the onsite proposed private roads. Offsite road improvements are required as part of the project and must be to county standards for safety purposes. No reduction in road standards are necessary.

5. Projects shall be required to comply with applicable design criteria in the County MSCP Subarea Plan, attached hereto as Attachment G (Preserve Design Criteria) and Attachment H (Design Criteria for Linkages and Corridors).

The project site is not located within a Pre-Approved Mitigation Area (PAMA) or designated as Preserve land. The project site is also not located within a regional

linkage or corridor and is surrounded by development. Therefore, the Preserve Design Criteria from Attachment G and the Design Criteria for Linkages and Corridors from Attachment H do not apply.

B. Preserve Design Criteria (Attachment G)

In order to ensure the overall goals for the conservation of critical core and linkage areas are met, the findings contained within Attachment G shall be required for all projects located within Pre-Approved Mitigation Areas or areas designated as Preserved as identified on the Subarea Plan Map.

The project is not located within a Pre-Approved Mitigation Area (PAMA) or areas designated as Preserve land. Therefore, the Preserve Design Criteria from Attachment G does not apply.

C. Design Criteria for Linkages and Corridors (Attachment H)

For project sites located within a regional linkage and/or that support one or more potential local corridors, the following findings shall be required to protect the biological value of these resources:

The project site is not located within a regional linkage or corridor. Therefore, the Design Criteria for Linkages and Corridors from Attachment H does not apply.

IV. Subarea Plan Findings

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.

The project site contains drainages that may qualify as state wetlands/waters as defined by the California Department of Fish and Wildlife. The project proposes complete avoidance of these drainages and will place these areas within open space. Therefore, the project will not conflict with the no-net-loss-of-wetlands standard.

2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.

The project site supports southern mixed chaparral habitat. Project development will occur within 21 acres located in the northeastern portion of the project site, which has been previously disturbed for fire clearing purposes and is located adjacent to existing development. The remaining area onsite, located adjacent to undisturbed habitat to the south, will be preserved within an open space easement. Therefore, the project includes measures to conserve unique habitat and habitat features.

- 3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological values by the MSCP habitat evaluation model.**

The project does not contain extensive patches of coastal sage scrub. Other habitat types that are ranked as having high biological values will be preserved through an onsite open space easement located adjacent to undisturbed habitat offsite.

- 4. The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.**

The project will conserve 34.5 acres of southern mixed chaparral within on onsite open space easement, located adjacent to undisturbed habitat to the south. This will provide for the creation of significant blocks of habitat to reduce edge effects.

- 5. The project provides for the development of the least sensitive habitat areas.**

Project development will occur within 21 acres located in the northeastern portion of the project site, which has been previously disturbed for fire clearing purposes and is located adjacent to existing development. The remaining area onsite, located adjacent to undisturbed habitat to the south, will be preserved within an open space easement. Therefore, the project provides for the development of the least sensitive habitat areas.

- 6. The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.**

No threatened, endangered, narrow endemic species were detected on the project site. Developing the 21 acres in the northeastern portion of the site will not eliminate highly sensitive habitat or impact key populations of covered species.

- 7. Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.**

The project will conserve 34.5 acres of southern mixed chaparral within on onsite open space easement, located adjacent to undisturbed habitat to the south. This will provide habitat that contributes to the preservation of wide-ranging species such as mule deer, which was observed on the project site.

- 8. All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical populations and no**

more than 20 percent loss of narrow endemics and specified rare and endangered plants.

No critical or narrow endemic species were detected on the site.

9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.

The project will not jeopardize the assembly of a preserve system because the impact area is not designated as PAMA or Preserved land and does not support a regional wildlife corridor. In addition, the project impacts will be occurring adjacent to existing development and 34.5 acres of southern mixed chaparral habitat, located adjacent to undisturbed habitat to the south, will be preserved within an onsite open space easement.

10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.

The project proposes to conserve 34.5 acres of southern mixed chaparral habitat within an onsite open space easement, which will mitigate for impacts to 18.8 acres of southern mixed chaparral. The project will implement open space fencing and signage in order to reduce edge effects.

11. Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific sensitive species as defined in the BMO.

Project development will occur within 21 acres located in the northeastern portion of the project site, which has been previously disturbed for fire clearing purposes and is located adjacent to existing development. No threatened, endangered, or narrow endemic species were detected on the project site. Mitigation measures will include the onsite preservation of 34.5 acres of southern mixed chaparral habitat, located adjacent to undisturbed habitat to the south. Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific sensitive species as defined by the BMO.

Kendalyn White, Planning & Development Services

December 21, 2020

MSCP Designations

